

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Docket No.	E0295.70171US01
	First Named Inventor or Application Identifier	
	DARCY, Jeffrey J.	
	Express Mail Label No.	EV292549145US
	Date of Deposit	October 1, 2003

22278 U.S. PTO  
10/676833  
10/01/03

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	<b>ADDRESS TO:</b> <b>Mail Stop Patent Application</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.  3. <input checked="" type="checkbox"/> Specification [Total pages 72] 55 - pages description 1 - pages abstract 16 pages claims                      96 - Total claims  4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) [Total sheets 11] <input checked="" type="checkbox"/> Informal <input type="checkbox"/> Formal    [Total drawings 12]  5. <input type="checkbox"/> Oath or Declaration [Total pages ] a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  If 5b is checked the entire disclosure of prior applications,  Serial No. _____  from which an oath or declaration is supplied, is considered as part of the disclosure of the accompanying application as is hereby incorporated by reference therein. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.  6. <input type="checkbox"/> Application Data Sheet, See 37 CFR 1.76	7. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)  8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies  <b>ACCOMPANYING APPLICATION PARTS</b>  9. <input type="checkbox"/> Assignment Papers/cover sheet & documents(s)  10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney  11. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i>  12. <input type="checkbox"/> Information Disclosure Statement PTO-1449 <input type="checkbox"/> Copies of IDS Citations  13. <input type="checkbox"/> Preliminary Amendment  14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>  15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>  16. <input type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii)  17. <input type="checkbox"/> Other: _____ _____ _____

**18. NOTE TO PRACTITIONERS:** If a CONTINUING APPLICATION, supply the requisite priority or continuity information in (1) the body of the application, or in a preliminary amendment, and (2) in an Application Data Sheet under 37 CFR 1.76.

**19. CORRESPONDENCE ADDRESS**

*Correspondence address below*

**CUSTOMER NUMBER:**  
**23628**

**20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME	Richard F. Giunta, Reg. No. 36,149
SIGNATURE	<i>Richard F. Giunta</i>
DATE	10/1/03

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(ii)**

First Named Inventor		DARCY, Jeffrey J.
Title	METHOD AND APPARATUS FOR IMPLEMENTING A SOFTWARE CACHE	
Docket No.	E0295.70171US01	

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

10/1/03

Date

Richard F. Giunta

Richard F. Giunta, Reg No. 36,149

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant must notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application. Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).